

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

DUSTIN WILSON, )  
Plaintiff, ) Civil Action No. 7:16cv00332  
 )  
v. ) ORDER  
 )  
SWINEY, *et al.*, )  
Defendants. ) By: Norman K. Moon  
 ) United States District Judge

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** that:

- 1) Wilson's motion for summary judgment (Docket No. 21) is **DENIED**.
- 2) Defendants' motion for summary judgment (Docket No. 23) is **GRANTED in part** as to Wilson's claims for injunctive relief and for damages against the defendants in their official capacity and **DENIED in part** as to all other claims.
- 3) Defendants request to file a supplemental motion for summary judgment is **GRANTED** and defendants shall have thirty days from the entry of this order to file any motion for summary judgment. If no motion for summary judgment is filed, this matter will be set for trial as to all remaining claims.
- 4) Defendants' motions requesting a protective order (Docket Nos. 18 and 43) are **DENIED**. Wilson's motion to compel discovery (Docket No. 29) is **GRANTED** and defendants shall have thirty days to file responses to Wilson's discovery requests.
- 5) For the same reasons stated by the Magistrate Judge, Wilson's motion for reconsideration of the Magistrate Judge's order denying his motion for appointment of counsel (Docket No. 49) is **DENIED**.

6) The Clerk shall send copies of this order and the accompanying memorandum opinion to the parties.

ENTER: This 5th day of September, 2017.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE